

After working with city legal, I would like to offer the following changes to Harper-Madison Amendments 7, 8, and 9:

7. SLEEPING UNIT DEFINITION – WITHDRAW

Reasoning: The proposed changes have been determined to be unnecessary.

8. CO-HOUSING DEFINITION:

CO-HOUSING A residential development of three or more sleeping units in which sleeping units are separate and detached ~~a single dwelling or sleeping unit~~ from common areas that include kitchen, laundry, and other shared facilities. ~~At most one sleeping unit may be attached to these common areas.~~ Includes cooperative housing. For the purpose of calculating density, ~~each~~ every two sleeping units in a co-housing use equates to a dwelling unit, each sleeping unit may be occupied by no more than ~~two six~~ three unrelated individuals adults in compliance with Division 23-10B-9 (Property Maintenance Code).

Reasoning:

1. Striking “*At most one sleeping unit may be attached to these common areas.*” This is regulatory and does not belong in a definition. Additionally, we have determined this provision to be unnecessary for co-housing use.
2. Under the second reading draft, the occupancy limit of group residential and co-housing uses is now effectively one-third that of any other uses. This is due to a new clause inserted into the second draft:

For the purpose of calculating density, each sleeping unit in a [group residential / co-housing] use equates to a dwelling unit, and each sleeping unit may be occupied by no more than two unrelated individuals.

In any other use, a dwelling unit may be occupied by no more than 6 unrelated adults. It goes without saying that under this language these uses would very rarely contribute to affordable housing, as they are intended to. Very few affordable housing developments would house people under uses that reduce their total occupancy by 2/3 when compared to other uses.

Since sleeping units equate to a dwelling unit, we propose adjusting the language to read “*every two sleeping units in a co-housing use equates to a dwelling unit*” to ensure co-housing use is not unfairly limited in building the housing types allowed in all residential zones. We then adjusted the occupancy limit of a sleeping unit to three, for an overall occupancy limit of 6 per dwelling.

3. Changed “*individuals*” to “*adults*” to clarify this provision does not apply to children and is in alignment with the dwelling occupancy limit.
4. Included language to specify that the occupancy limit is constrained by square footage requirements in the Property Maintenance Code that limit the number of people per sleeping unit, we added “*in compliance with Division 23-10B-9 (Property Maintenance Code).*”

9. GROUP RESIDENTIAL DEFINITION:

The use of a site for occupancy by a group of more than six persons who are ~~not a family~~ unrelated adults on a weekly or longer basis in which sleeping units are separate from, but located in the same building with, common areas that include kitchen, laundry, and other shared facilities in compliance with Division 23-10B-9 (Property Maintenance Code). This includes, but is not limited to, fraternity and sorority houses, dormitories, residence halls, boarding houses, and cooperative housing.

Reasoning:

The proposed definition in the second draft is confusing and too similar to cohousing. Failing to fix this would make non-compliant existing cooperatives, dorms, senior living, and other types of housing, imperiling the housing situation of thousands of people.

I am proposing to reinstate the definition of group residential in our current code (Title 25), with some minor changes:

1. As families come in many shapes and forms, proposed changes alter the current definition to strike “not a family” and replace with “unrelated adults”.
2. I also included language to specify that the occupancy limit is constrained by building code and still must comply with the Property Maintenance Code

Additional amendments:

AMEND KITCHEN 5 to read as follows:

To maximize housing and to create walkable, multi-modal, pedestrian friendly environments along corridors receiving significant public dollar investments from bond elections:

- Reduce allowance of uses that do not provide path for inclusion of residential units in the development or are in conflict with the vision for public spaces and multi-modal use, such as drive-through uses and storage facilities.

~~• Remove mapping of MU5B, which allows storage facilities, on Project Connect and corridors identified for bond investments; and~~

- Amend Current Draft Code for Storage Facilities:
23-3D-1300 Personal Storage

(A) Location Restrictions. A Personal Storage use requires a conditional use permit and is prohibited ~~if it is located~~ within 1000 feet of another property with a Personal Storage use and must comply with Subsection 23-3B-1040(E)(2) (Conditional Use Permit). The distance is measured to the lot line

Alternative to KITCHEN 6:

~~Throughout the landscape section, expand the Green Infrastructure provision (currently applied to parking lot tree islands (section 23-3d-3050 (E)) which adds a requirement that planted areas must be graded to receive stormwater) to other landscape categories, including:~~

- ~~• front yard planting (23-3d-3040),~~
- ~~• landscaped medians without trees (23-3d-3046), and~~
- ~~• parking lot perimeter (23-3d-3047).~~

~~Exceptions to receiving stormwater may be made for natural undisturbed areas, or where receiving stormwater is impossible due to design constraints such as conflicts with utilities.~~

~~Landscaping and Functional Green requirements should be based on best practices and industry standards.~~

HARPER-MADISON AMENDMENT 5. DRAINAGE/ON-SITE DETENTION – WITHDRAW

In order to allow our office more time to work with the Watershed Department to determine the best solution for on-site detention on smaller sites in all zones, and the lower third of the watershed, we would like to withdraw Harper-Madison 5.

NEW – HARPER-MADISON AMENDMENT 16:

In order to use our limited urban space more efficiently and help achieve the goals we have set in the ASMP, the Community Climate Plan, and our Vision Zero plan, map more R2C adjacent to transition areas in an urban setting.